



Mayor – Sandy Sanders

City Administrator – Ray Gosack

City Clerk – Sherri Gard

Board of Directors

Ward 1 – Steve Tyler

Ward 2 – Andre’ Good

Ward 3 – Don Hutchings

Ward 4 – George Catsavis

At Large Position 5 – Pam Weber

At Large Position 6 – Kevin Settle

At Large Position 7 – Philip H. Merry Jr.

AGENDA ~ Summary
Fort Smith Board of Directors
Regular Meeting
September 4, 2012 ~ 6:00 P.M.
Fort Smith Public Schools Service Center
3205 Jenny Lind Road

THIS MEETING IS BEING TELECAST LIVE ON THE GOVERNMENT ACCESS CHANNEL 6

INVOCATION & PLEDGE OF ALLEGIANCE

ROLL CALL

All Present

PRESENTATION BY MEMBERS OF THE BOARD OF DIRECTORS OF ANY ITEMS OF BUSINESS NOT ALREADY ON THE AGENDA FOR THIS MEETING

(Section 2-37 of Ordinance No. 24-10)

Information available by viewing rebroadcast of the meeting on the City Access Channel 6 or City website

APPROVE MINUTES OF THE AUGUST 23, 2012 REGULAR MEETING

Unanimously approved as written

ITEMS OF BUSINESS:

1. Presentation:

- Proclamation declaring September 2012 Hunger Action Month in recognition of the Mayor’s second annual Communitywide Food Drive
Presentation Only
- Good Neighbor Award
Presentation Only

2. Items relative to appeal of Planning Commission decision denying the development plan located at 900 South Waldron (*appeal filed by Rocky Walker & Aaron Wirth, Developers*):
 - A. Resolution affirming the action of the Planning Commission denying the development plan for a multi-family development located at 900 South Waldron Road
Approved 7 in favor, 0 opposed / Resolution No. R-192-12
 - B. Resolution approving a development plan for a multi-family development located at 900 South Waldron Road
No action taken due to adoption of Item No. 2A
3. Ordinance amending Chapter 4, Article I of the Fort Smith Municipal Code regulating animals, establishing mandatory registration, spay and neuter regulations, and a hobbyist permit for dogs and cats ~ *First reading at the March 15, 2011 regular meeting / Tabled for 6 months at the April 5, 2011 regular meeting / Tabled for 90 days at the October 4, 2011 regular meeting / Tabled for 9 months at the January 3, 2012 regular meeting ~ ** Second reading ***
7 in favor, 0 opposed / Tabled indefinitely
4. Ordinance amending Chapter 4, Article I, Section 4-1 of the Fort Smith Municipal Code regulating animals ~ *First reading at the March 15, 2011 regular meeting / Tabled for 6 months at the April 5, 2011 regular meeting / Tabled for 90 days at the October 4, 2011 regular meeting / Tabled for 9 months at the January 3, 2012 regular meeting ~ ** Second reading ***
7 in favor, 0 opposed / Tabled indefinitely
5. Items regarding aquatic center and softball fields at Ben Geren Regional Park:
 - A. Ordinance accepting certain territory into the city of Fort Smith, Arkansas (*Ben Geren Regional Park*)
Approved 7 in favor, 0 opposed / Ordinance No. 61-12
 - B. Ordinance amending the Master Land Use Plan map and rezoning identified property and amending the zoning map (*Master Land Use Plan - from Extraterritorial Jurisdiction Low Density Residential to General Commercial; Rezoning – from Extraterritorial Jurisdiction Open-1 (ETJ O-1) to Commercial Heavy (C-5) by extension located at 7300 South Zero Street and 6618 Softball Lane*) ~ *Tabled at the August 7, 2012 regular meeting ~*
Approved 7 in favor, 0 opposed / Ordinance No. 62-12

6. Items regarding property development at 9022 and 9100 Highway 271 South:
 - A. Ordinance amending the Master Land Use Plan map and rezoning identified property and amending the zoning map (*Master Land Use Plan - from Unclassified to Extraterritorial Jurisdiction Light Industrial; Rezoning - from Extraterritorial Jurisdiction Open-1 (ETJ O-1) to Extraterritorial Jurisdiction Industrial Light (ETJ I-1) by classification located at 9022 and 9100 South Highway 271*)
Approved 7 in favor, 0 opposed / Ordinance No. 63-12
 - B. Ordinance amending the 2009 Unified Development Ordinance of the City of Fort Smith (*ETJ Use Matrix*)
Approved 7 in favor, 0 opposed / Ordinance No. 64-12
7. Ordinance rezoning identified property and amending the zoning map (*from Not Zoned to Residential Single-Family Medium/High Density (RS-3), Residential Single Family Duplex Medium/High Density (RSD-3) and Residential Multi-Family Medium Density (RM-3) by classification located at 9450, 9600 and 9850 Chad Colley Blvd*)
Approved 7 in favor, 0 opposed / Ordinance No. 65-12
8. Ordinance rezoning identified property and amending the zoning map (*from Not Zoned to Transitional (T) by classification located at 8101 McClure Drive*)
Approved 7 in favor, 0 opposed / Ordinance No. 66-12
9. Ordinance rezoning identified property and amending the zoning map (*from Transitional (T) to Residential Multi-Family Medium Density (RM-3) by extension located at 3407 South 66th Street*)
Approved 7 in favor, 0 opposed / Ordinance No. 67-12
10. Ordinance establishing a limited policy of the City of Fort Smith, Arkansas for the hearing and settling of specifically identified tort claims ~ *Good/Settle placed on agenda at the August 28, 2012 study session ~*
Approved 7 in favor, 0 opposed / Ordinance No. 68-12
11. Ordinance accepting dedication of public roadway rights-of-way (*Fort Chaffee Redevelopment Authority*)
Approved 7 in favor, 0 opposed / Ordinance No. 69-12
12. Consent Agenda
 - A. Resolution setting public hearing date on petition to vacate a portion of a street right-of-way located in Jefferson Place, an addition to the city of Fort Smith, Arkansas (*North "J" Street*)
Approved 7 in favor, 0 opposed / Resolution No. R-193-12

- B. Resolution to accept the bids and authorize contracts for the construction of McClure Amphitheater Road, Project No. 12-00-A upon concurrence of the Fort Chaffee Redevelopment Authority (\$1,096,317.10 / *Engineering Department / Budgeted – Sales Tax Program Fund*)
Approved 7 in favor, 0 opposed / Resolution No. R-194-12
- C. Resolution authorizing an amendment to the engineering services agreement for the design of 2012 Neighborhood Drainage Improvements, Project No. 12-06-C (\$42,850.00 / *Engineering Department / Budgeted – Sales Tax Program Fund*)
Approved 7 in favor, 0 opposed / Resolution No. R-195-12
- D. Resolution authorizing an amendment to the engineering services agreement for the design of 2012 Neighborhood Drainage Improvements, Project No. 12-06-A (\$8,260.00 / *Engineering Department / Budgeted – Sales Tax Program Fund*)
Approved 7 in favor, 0 opposed / Resolution No. R-196-12
- E. Resolution allowing the sale of surplus vehicles and equipment at public auction
Approved 7 in favor, 0 opposed / Resolution No. R-197-12
- F. Resolution rescinding Resolution No. R-173-11 and accepting bid for the purchase and installation of a fuel management system (\$87,034.00 / *Sanitation Department / Budgeted Sanitation Operating Fund*)
Approved 7 in favor, 0 opposed / Resolution No. R-198-12
- G. Resolution accepting bids for the purchase of trucks (\$428,825.00 / *Various capital outlay accounts*)
Approved 7 in favor, 0 opposed / Resolution No. R-199-12
- H. Resolution accepting the bid for the purchase of a sewer rodding truck (\$159,873.75 / *Utilities Department / Budgeted – Water & Sewer Operating Fund*)
Approved 7 in favor, 0 opposed / Resolution No. R-200-12
- I. Resolution accepting bid for the purchase of 65 and 95 gallon recycling roll-out containers (\$206,755.00 / *Sanitation Department / Budgeted – Sanitation Fund*)
Approved 5 in favor, 2 opposed (Tyler & Merry) / Resolution No. R-201-12

- J. Resolution accepting bid for the purchase of a vacuum jet cleaner truck (\$348,522.00 / *Utilities Department / Budgeted – Water & Sewer Operating Fund*)

Approved 7 in favor, 0 opposed / Resolution No. R-202-12

13. Ordinance referring a proposed initiated ordinance authorizing city-wide expansion of automated residential waste collection in the City of Fort Smith to a vote of the electorate of the city

Approved 6 in favor, 1 opposed (Tyler) / Ordinance No. 70-12

OFFICIALS FORUM ~ presentation of information requiring no official action

(Section 2-36 of Ordinance No. 24-10)

- A. Mayor
- B. Directors
- C. City Administrator

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ADJOURN

7:28 P.M.